

## REMARKS/ARGUMENTS

Claims 2, 6 – 8, 13, 17 – 19, 22, 26 – 28, and 49 – 52 were previously pending. As noted above, claims 2, 3, 6, 13, 14, 17, 22, 23, 26, and 49 - 52 have been canceled, and claims 53-80 have been added. Support for these amendments may be found in the original claims and throughout the Specification.<sup>1</sup> Thus, claims 53-80 are now pending and subject to examination.

Applicants respectfully request reconsideration of this application based on the following remarks.

### *Election/Restriction*

Claims 2-4, 6-8, 13-15, 17-19, 22-24, 26-28, and 49-52 were withdrawn from consideration as allegedly being directed to a non-elected invention. Applicants have canceled claims 2-4, 6-8, 13-15, 17-19, 22-24, 26-28, and 49-52, and have added, among others, new independent claims 53, 61, 63, 71, and 79. These new independent claims correspond substantially to previously presented (and canceled) claims 1, 10, 12, 21, and 29, respectively.

### *Claim Rejections – 35 USC § 103*

In an Office Action dated August 21, 2009, claims 1 – 4, 9 – 15, 20 – 24, 29 and 46 – 48 were rejected under 35 USC § 103(a) as being unpatentable over Kolev (US Patent No. 6,125,283) in view of Kaplan (US Patent No. 5,884,193). Claims 6, 7, 17, 18, 26, and 27 are rejected under § 103(a) as being unpatentable over Kolev in view of Kaplan and Jonsson (US Patent No. 5,915,224). Claims 8, 19, and 28 are rejected under § 103(a) as being unpatentable over Kolev, Kaplan, Jonsson and Sakai (US Patent No. 7,010,296). As noted above, claims 1, 9 – 12, 20, 21, 29 and 46 – 48 have been canceled. Accordingly, the rejections of these claims are now moot. To the extent the pending rejections are applicable to the claims as currently pending, Applicants respectfully traverse these rejections.

New independent claims 53, 61, 63, 71 and 79, which correspond substantially to previously presented (and canceled) independent claims 1, 10, 12, 21, and 29, have been added to recite subject matter to which the Applicants are entitled. As noted above, these claims are

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<sup>1</sup> See, e.g., Specification, paragraphs 24 and 31 - 39.

fully supported throughout the Specification.

These claims are allowable as there is no combination of the cited references that discloses or suggests the subject matter recited in independent claims 53, 61, 63, 71 and 79. For example, claim 53 is directed to a method of communications comprising, among other features, receiving, at a communications device, an origination request for a call, including parameters that include a dialing string; determining whether the dialing string indicates an emergency number; and generating a first marking indicating that the call is allowed on each of the plurality of communications networks if the dialing string indicates an emergency number. Independent claims 61, 63, 71, and 79 include similar features. None of the cited references, alone or in combination with each other, disclose or suggest this combination of features.

Kolev relates generally to systems and methods for determining whether or not a user has a valid identification and is able to communicate over a particular network based on knowledge of communications network supported service levels. However, Kolev does not disclose or suggest at least the features of generating a first marking indicating that a call is allowed on each of the plurality of communications networks if the dialing string indicates an emergency number, as claimed in the pending claims. Thus, independent claims 53, 61, 63, 71 and 79 are patentable over Kolev for at least this reason.

The addition of any combination of Kaplan, Jonsson, or Sakai does not overcome the deficiencies of Kolev, as these references are also silent with respect to these features. Thus, any attempt to modify Kolev based on the teachings of any one or any combination of Kaplan, Jonsson, or Sakai fails to disclose or suggest the recited subject matter of independent claims 53, 61, 63, 71 and 79.

Accordingly, as none of the cited references, alone or in combination with each other, discloses or suggest each and every feature of independent claims 53, 61, 63, 71 and 79, Applicants respectfully request the allowance of claims 53, 61, 63, 71 and 79.

Claims 58-80 each depend from one of independent claims 53, 61, 63, 71, and 79. As such, claims 58-80 are patentable over the cited references at least by virtue of their dependence on an allowable independent claim, as well as for the individual features each claim recites. For

Application No. 10/752,607  
Amendment dated May 13, 2010  
Reply to Office Action of February 19, 2010

example, claim 57 recites features of upon determining that the call is not allowed on a communications network, generating a second marking to indicate that the call is not allowed; for each communications network where the call has been determined to be allowed, determining whether the dialing string is to be altered, and upon determining that the dialing string is to be altered, generating a third marking indicating that the dialing string is to be altered; generating two or more output data fields, a first of the two ore more output data filed comprising the input dialing string or if the third marking has been generated, an altered dialing string, and a second of the two or more output data fields comprising one or more bits for indicating the first, second, and third markings; and originating the call on a selected network based on the two or more output data fields. None of the cited references, alone or in combination with each other, disclose or suggest this combination of feature.

Therefore, based on the foregoing, the withdrawal of the rejections under 35 USC § 103(a) is respectfully requested.

Application No. 10/752,607  
Amendment dated May 13, 2010  
Reply to Office Action of February 19, 2010

## CONCLUSION

In light of these remarks, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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